IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE JURISDICTION

CRI.APPLN.NO.323 OF 2007

Rahiman Abu Kazi ..Applicant

Vs.

Anandrao Sakharam
Jadhav & Ors. ..Respondents

...

Mr.Ramesh Dubey i/b Jay & Co. for Applicant
Mr.Rajesh More A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 13, 2007

P.C.

1. Heard the learned counsel for the applicant-original accused and the learned A.P.P. for the State. None appears for the respondent no.1 original complainant though served.

2. The applicant is facing prosecution in RCC No. 187 of 1990 which is pending before the learned Judicial Magistrate F.C. Karad. The said case is under Section 420 r.w. Section 34 of IPC. The applicant is now seeking exemption from personal appearance in the said case.

3. In the facts of this case, the applicant is granted exemption from personal appearance before the trial Court on all the dates except the date on which the learned Magistrate is of the opinion that the presence of the applicant is absolutely necessary, in such case, on advance notice being given to the applicant, the applicant shall remain present before the trial Court on that day.

4. Application is disposed of.

[SMT.V.K.TAHILRAMANI, J.]